

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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**ATATEKS FOREIGN TRADE LTD, JORDAN
and ATATEKS DIS TICARET A.S.,**

Plaintiffs,

-against-

**PRIVATE LABEL SOURCING, LLC
and SECOND SKIN, LLC,**

Defendants.
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Index No. 07 Civ. 6665 (HB)

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon:

- (i) the Declaration of Philip A. Byler, Esq., dated June 3, 2008, and the exhibits attached thereto,
- (ii) the Declaration of Christine Dente, dated June 3, 2008, and the exhibits attached thereto,
- (iii) Defendants' Memorandum of Law In Support of Motion For Partial Summary Judgment,
- (iv) Defendants' Rule 56 Statement of Undisputed Facts For Partial Summary Judgment, and
- (v) all prior proceedings had herein,


Defendants, through counsel, will move this Honorable Court, on a date to be specified by the Court, at the United States Courthouse, 500 Pearl Street, New York, New York 10007, pursuant to Rule 56 of the Federal Rules of Civil Procedure, for an Order for summary judgment dismissing the First and Second Causes of Action of the Amended Complaint insofar as they are asserted against Defendant Second Skin and dismissing in their entirety the Third, Fourth, Fifth, Sixth, and Seventh Causes of Action (which are asserted only against Defendant Second Skin) and granting such further and other

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relief as the Court deems just and proper.

Dated: New York, New York
June 3, 2008

NESENOFF & MILTENBERG, LLP
Attorneys for Defendants


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